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Attorneys for Defendant  
**NANCY BLACK**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE DIVISION

UNITED STATES OF AMERICA, ) No. CR 12-0002 EJD  
Plaintiff, )  
v. ) **STIPULATION AND [Proposed] ORDER  
CONTINUING HEARING AND EXCLUDING  
AND EXTENDING TIME**  
NANCY BLACK, )  
Defendant. )

A further status hearing is set in this case for August 6, 2012 at 1:30 p.m., with Defendant Black's appearance being waived. By email dated July 26, 2012, the Court notified the parties that if any matter scheduled for hearing that date could be continued to a later date the Court would consider a stipulation and proposed order to that effect if submitted to the Court by August 2, 2012. The parties believe that such a continuance would be appropriate in light of their ongoing discussions regarding this case.

Based on the foregoing, THE PARTIES STIPULATE AND REQUEST that the hearing currently set for August 6, 2012 be continued to August 20, 2012.

THE PARTIES FURTHER STIPULATE AND REQUEST that the Court find that the ends of justice are served by excluding the time from August 6, 2012 to August 20, 2012 from computation

1 under the Speedy Trial Act because the failure to exclude time would unreasonably deny counsel for  
2 Defendant the reasonable time necessary for effective preparation of counsel, taking into account the  
3 exercise of due diligence, and the ends of justice served by excluding the above time outweigh the best  
4 interests of the public and the Defendant in a speedy trial under 18 U.S.C. § 3161(h)(7).

5 IT IS SO STIPULATED.  
6

Dated: July 31, 2012

Melinda Haag  
United States Attorney

7  
8 /S/  
9 Christopher L. Hale  
10 Jeffrey B. Schenk  
11 Assistant United States Attorneys

12 Dated: July 31, 2012

13 /S/  
14 Mark R. Vermeulen  
15 Lawrence E. Biegel  
16 Attorneys for Defendant  
17 NANCY BLACK

## 18 ORDER

19 Based on the foregoing stipulation, and good cause appearing,

20 IT IS HEREBY ORDERED that the hearing currently set for August 6, 2012 shall be continued  
21 to August 20, 2012.

22 IT IS FURTHER ORDERED that the Court finds that the ends of justice are served by excluding  
23 the time from August 6, 2012 to August 20, 2012 from computation under the Speedy Trial Act because  
24 the failure to exclude time would unreasonably deny counsel for Defendant the reasonable time  
25 necessary for effective preparation of counsel, taking into account the exercise of due diligence, and the  
Defendant in a speedy trial under 18 U.S.C. § 3161(h)(7).

26 IT IS SO ORDERED.

27  
28 Dated: August 1, 2012

  
Edward J. Davila  
United States District Judge